

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

Case No. 4:21-cv-00156-M

HAMPTON PETERMAN,

Plaintiff,

v.

RAMOD BREWERS, LLC;
AARON AVERY; and
MATTHEW ROUSE,

Defendants.

DEFAULT JUDGMENT

This matter comes before the court on the Memorandum and Recommendation (“M&R”) issued by United States Magistrate Judge Robert T. Numbers, II [DE 48]. Judge Numbers recommends that this court grant Plaintiff’s Motion for Default Judgment [DE 42]. To date, no objections have been filed.

The court “may accept, reject, or modify, in whole or in part, the . . . recommendation[] . . . receive further evidence or recommit the matter to the magistrate judge with instructions.” 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* § 636(b)(1). Without timely objection, de novo review is unnecessary, and a district court need only check for clear error on the face of the record to accept the magistrate judge’s recommendation. *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing 28 U.S.C. § 636(b)(1)). Upon careful review of the record, “the court may accept, reject, or modify, in whole or in part, the findings or recommendations

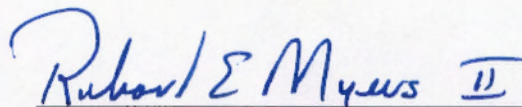
made by the magistrate judge.” 28 U.S.C. § 636(b)(1).

Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the findings and conclusions of the magistrate judge as its own. For the reasons stated in the M&R, the motion [DE 42] is GRANTED.

It is ORDERED AND ADJUDGED that:

1. Default judgment is entered against Defendants on each of Plaintiff's claims;
2. Plaintiff is awarded damages in the amount of \$162,479.25, plus post-judgment interest; and
3. Plaintiff is awarded his reasonable attorneys' fees and costs in the amount of \$51,813.00.

SO ORDERED this 5th day of January, 2023.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE